

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY BELGRADE

INFO AMCONSUL ZAGREB

C O N F I D E N T I A L STATE 296394

E.O. 11652: GDS

TAGS: CFED, PINS, YO

SUBJECT: ARTUKOVIC

REF: STATE 256408

1. THERE HAVE BEEN SEVERAL DEVELOPMENTS, THOUGH LITTLE MOVEMENT, IN THE ARTUKOVIC MATTER SINCE OUR REFERENCED MESSAGE. AMBASSADOR BELOVSKI ON NOVEMBER 19 TOLD ASSISTANT SECRETARY HARTMAN THAT THE GOY WOULD NOT PROVIDE ANY FURTHER INFORMATION ABOUT THE CHARGES AGAINST ARTUKOVIC OR ITS INTENTIONS REGARDING POSSIBLE PROSECUTION SHOULD IT GAIN CUSTODY. BELOVSKI MADE CLEAR THAT THE GOY DOES NOT WISH TO INVOLVE ITSELF OFFICIALLY IN THIS MATTER BUT STANDS BY THE INFORMATION IT PRESENTED IN SUPPORT OF ITS ORIGINAL EXTRA-DITION REQUEST IN 1952.

2. BELOVSKI'S REMARKS CONSTITUTE A REPLY TO OUR
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EARLIER REQUEST TO EMBASSY COUNSELOR ANDONOV ON

NOVEMBER 8 THAT THE GOY CONSIDER PROVIDING US A STATEMENT -- ORAL OR OTHERWISE -- INDICATING THE NATURE OF THE CHARGES ARTUKOVIC WOULD FACE WERE HE RETURNED TO YUGOSLAVIA. BOTH BELOVSKI AND ANDONOV

WERE ADVISED ABOUT THE STATE OF PLAY IN INS EFFORTS WITH OUR HELP TO REOPEN PROCEEDINGS ON ARTUKOVIC. MEMORANDA FOLLOW.

3. ALTHOUGH A DEFINITIVE STATEMENT FROM THE YUGOSLAVS WOULD HAVE HELPED, STATE (EE, SCA, L) IS NOW PROCEEDING TO DRAFT A STATEMENT FOR INS CONCERNING THE QUESTION OF WHETHER OR NOT ARTUKOVIC WOULD BE "PERSECUTED" IN YUGOSLAVIA. AS THIS HINGES LARGELY ON THE QUESTION OF WHETHER HE WOULD BE TRIED FOR POLITICAL OFFENSES, WE PLAN TO DRAW HEAVILY ON THE DEPARTMENT'S 1957 MEMORANDUM FOR THE SUPREME COURT, WHICH ARGUED THAT THE ALLEGATIONS AGAINST ARTUKOVIC INVOLVE ESSENTIALLY CRIMINAL OFFENSES REGARDLESS OF POSSIBLE POLITICAL MOTIVATIONS. WE ARE POUCHING A COPY OF THIS MEMORANDUM, AND WILL SEND A COPY OF OUR STATEMENT WHEN COMPLETED. THE RELATED QUESTION OF WHETHER ARTUKOVIC WOULD NOW RECEIVE A FAIR TRIAL, I.E. WHETHER EVIDENCE IN HIS DEFENSE COULD BE DULY PRESENTED AND CONSIDERED AS A THORNY ONE WHICH WE CANNOT ANSWER WITH CONVICTION. WE WOULD WELCOME ANY EMBASSY COMMENTS.

4. ADDITIONALLY, THE DEPARTMENT HAS FURNISHED INS WITH THE NAMES OF A DOZEN OR SO OUTSIDE EXPERTS WHOM INS MIGHT APPROACH ABOUT POSSIBLY TESTIFYING ABOUT RELEVANT POLITICAL CONDITIONS AND CRIMINAL PROCEDURES IN YUGOSLAVIA.

5. MEANWHILE, PRESSURE FOR ACTION IS MOUNTING. AMERICAN JEWISH CONGRESS OFFICIALS ARE PRESSING SCA. BERNSON HAS TAPED AN INTERVIEW FOR THE DAVID SUSKIND SHOW TO BE BROADCAST AT MIDNIGHT DECEMBER 19 IN WHICH HE WAS "RAKED OVER THE COALS" ON ARTUKOVIC. AFTER HIS OWN INTERVIEW, BERNSON UNDERSTANDS, A DISCUSSION WILL BE BROADCAST IN WHICH REPRESENTATIVES EILBERG
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AND HOLTZMAN ACCUSE THE USG OF POLITICAL COVERING AND FOOTDRAGGING ON ARTUKOVIC. WE WILL TRY TO GET TRANSCRIPTS.

6. SO FAR, YUGOSLAV EMBASSY OFFICIALS HAVE MAINTAINED A LOW PROFILE WITH US. WHILE THEY PROFESS TO BE "INTERESTED" IN WHAT DEVELOPS, THEY CLEARLY SEEK NO INVOLVEMENT. THEY NOW ACKNOWLEDGE THEIR UNDERSTANDING

THAT THE GOY COULD AGAIN SEEK EXTRADITION, BUT SHOW
NO INTEREST IN SUCH A MOVE. IT IS OUR IMPRESSION
THAT THEY WOULD ALMOST PREFER THAT THE WHOLE ISSUE
WERE FORGOTTEN. KISSINGER

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